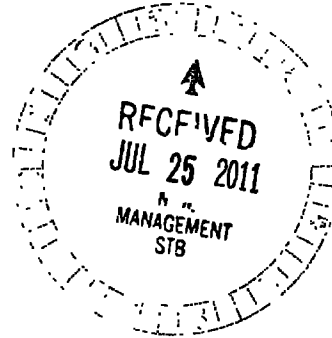


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July 25, 2011

VIA HAND DELIVERY

Cynthia Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

Re: Competition in the Railroad Industry  
Ex Parte No. 705

ENTERED  
Office of Proceedings

JUL 25 2011

Part of  
Public Record

Dear Ms. Brown:

At the hearing in this proceeding on June 23, John P. Lanigan, Vice President and Chief Marketing Officer of BNSF Railway Company, agreed to file a confidential response to certain testimony. Pursuant to the protective order issued by the Board on June 7, BNSF is separately filing an original and ten copies of that response under seal. Attached for the public record are an original and ten copies of the redacted version of that response.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Robert M. Jenkins III'.

Robert M. Jenkins III

Counsel for BNSF Railway Company

RMJ/bs

Enclosure

cc: Richard E. Weicher  
Jill K. Mulligan

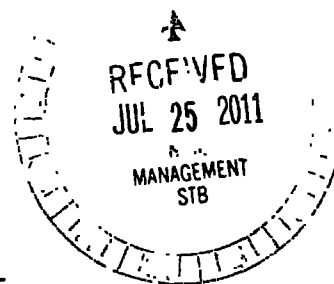
**PUBLIC VERSION**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

**EX PARTE NO. 705**

**COMPETITION IN THE RAILROAD INDUSTRY**

**SUPPLEMENTAL VERIFIED STATEMENT OF  
JOHN P. LANIGAN**



ENTERED  
Office of Proceedings  
JUL 25 2011  
Part of  
Public Record

My name is John P. Lanigan. I am Executive Vice President and Chief Marketing Officer for BNSF Railway Company. I previously submitted a verified statement in this proceeding on May 27, 2011, and also testified in person before the Board on June 23, 2011. At the hearing on June 23, I provided testimony refuting the claims by a vocal minority of coal shippers that the Western railroads do not compete for their business. In the context of that testimony, I offered to provide the Board with information in a confidential submission detailing our negotiations with { } a coal shipper who made claims { } about a failure to compete by the Western railroads. As I stated at the hearing, I was profoundly dismayed by the testimony of { }, specifically his suggestion that competition for coal service to { } does not exist when { } awards the business to the incumbent railroad. I know from personal { } experience, detailed below, that that simply is not true.

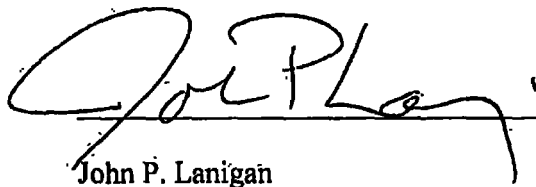
{

hard for this business, contrary to { } testimony before the Board.  
} Clearly we competed

### VERIFICATION

I, John P. Lanigan, declare under penalty of perjury that the foregoing supplemental statement is true and correct and that I am qualified and authorized to file this statement.

Executed: July 25, 2011.

A handwritten signature in cursive script, appearing to read "John P. Lanigan", is written over a horizontal line.

John P. Lanigan